

To: Washington Department of Ecology
15 W Yakima Ave Ste 200
Yakima, WA 98902

From: Roger Sparks
4311 Hanson Road
Ellensburg, WA 98926




RE: Mitigation Plan for Water Right Change Application CS4-01478CTCL.

I am submitting the "Manastash Creek Restoration Project In-Stream Flow Enhancement Implementation Plan" to the Washington Department of Ecology as an amendment to my water right change application. The mitigation is for the upstream move of the point of diversion for Yakima Adjudication Court Claim #01478 and any adverse environmental impacts that may be identified under the State Environmental Policy Act.

By submitting the Manastash Creek Restoration Project Instream Flow Enhancement Implementation Plan as my voluntary mitigation, I understand that my application or applications for POD change for the consolidation of Anderson, Reed Ditch, and Hatfield Ditch, upstream to the MWDA diversion, will commit not to divert water from the consolidated diversion until 6 cfs (before pro-rationing) of adjudicated water rights for instream flow purposes has been obtained and put into trust in perpetuity, in addition to any water saved by the consolidation of Reed, Anderson and Hatfield to the MWDA site.

Sincerely,



Roger Sparks



01478

RS

73.00



STATE OF WASHINGTON
**APPLICATION FOR CHANGE/TRANSFER
OF WATER RIGHT**

For filing with Ecology or with County Conservancy Boards



**A NON-REFUNDABLE MINIMUM FEE OF \$50.00 PAYABLE TO THE DEPARTMENT OF
ECOLOGY MUST ACCOMPANY THIS APPLICATION**

(Check all that apply.)

- ☐ Change purpose(s) of use
- ☐ Add purpose(s) of use
- ☒ Change point(s) of diversion/withdrawal
- ☐ Add point(s) of diversion/withdrawal
- ☐ Change/transfer place of use
- ☐ Other (i.e. consolidation, intertie, trust water)

Explain: _____

FOR OFFICE USE ONLY	
CHANGE No. <u>CS4-01478CTL</u>	WRIA <u>39</u>
DATE ACCEPTED <u>09/21/06</u>	BY <u>[Signature]</u>
FEE \$ <u>1470.00</u>	REC'D <u>09/18/2006</u>
CHECK No. <u>8942</u>	
SEPA: <input type="checkbox"/> Exempt <input type="checkbox"/> Not exempt	

****IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)****

1. Applicant Information:

APPLICANT/BUSINESS NAME <u>Roger Sparks</u>	PHONE NO. <u>509-925-3615</u>	FAX NO. <u>(509) 962-4696</u>
ADDRESS <u>4780 Cove Road</u>		
CITY <u>Ellensburg</u>	STATE <u>WA</u>	ZIP CODE <u>98926</u>
CONTACT NAME (IF DIFFERENT FROM ABOVE)		
PHONE NO. ()		
FAX NO. ()		
ADDRESS		
CITY	STATE	ZIP CODE

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER <u>01478 (Priority Date 06-30-1877, 45 ac)</u>	RECORDED NAME(S) <u>Roger C. Sparks & Rita M Sparks</u>
DO YOU OWN THE RIGHT TO BE CHANGED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
IF NO, PROVIDE OWNER(S) NAME and ADDRESS:	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application. See attached Yakima River Basin Water Rights Adjudication, Subbasin No. 11 (Manastash) info.

FOR OFFICE USE ONLY			
APP. NO. _____	PERMIT NO. _____	CERT. NO. _____	CERT. OF CHANGE NO. _____

Court claim 01478
Sub 11 Manastash
06-30-1877

CS4-01478CTL

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3. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Manastash Creek Reed		SW	SW	12	17	17	17-17-12030-0029 (275033)	

B. Proposed

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Manastash Creek MWDA		NW	NE	14	17	17	17-17-14010-0011 (215133)	

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?

EXISTING: ☐ YES ☒ NO PROPOSED: ☐ YES ☒ NO – IF NO, PROVIDE OWNER(S) NAME:

Existing: Douglas John. Proposed: Scot Reeves, with easement to the Manastash Water Ditch Association.

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

4. Purpose of Use:

A. Existing

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation	1.46 cfs		April 1 – June 30
Irrigation	0.73 cfs		July 1 – October 31
Irrigation		446.7 AF	Annually

B. Proposed SAME

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE

5. Place of Use:

A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
The E ½ SW ¼ and part of the SE ¼ NW ¼ of Section 6, T17N, R17E WM.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
E ½	SW ¼	6	17	17 (18) See Remarks	Kittitas	17-18-06020-0007 (648333) 17-18-06030-0003 (628333)	45
SE ¼	NW ¼	6	17	17 (18)	Kittitas	17-18-06020-0007 (648333)	45
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME:							

B. Proposed SAME

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? <input type="checkbox"/> YES <input type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME:							

Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map.

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?
☐ YES ☐ NO – IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S):

6. Remarks and Other Relevant Information:

REED POD: 600 feet north and 700 feet east from the southwest corner of Section 12, being within the SW ¼ SW ¼ of Section 12, T17N, R17E WM.

MWDA POD: 500 feet south and 150 feet east of the north quarter corner of section 14, being with in the NW ¼ NE ¼ of Section 14, T17N, R17E WM.

POU Parcel Number(s):

17-18-06020-0007 (648333); 17-18-06030-0003 (628333)

Note on POU: The legal description of 17-17-06 is in error; it should be 17-18-06.

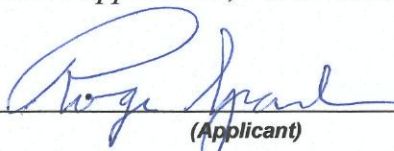
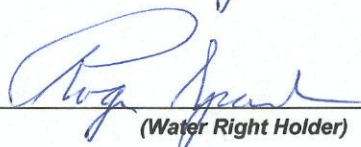
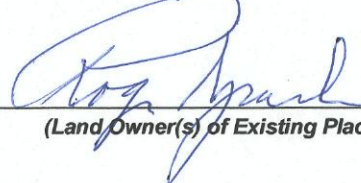
IF FOR SEASONAL OR TEMPORARY, START DATE ____/____/____ END DATE ____/____/____

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

7. Signatures:

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I am hereby granting staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

 (Applicant)	<u>3 130 106</u> (Date)
 (Water Right Holder)	<u>3 130 106</u> (Date)
 (Land Owner(s) of Existing Place of Use)	<u>3 130 106</u> (Date)

IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- | | |
|---|---|
| <input type="checkbox"/> APPLICATION FEE NOT ENCLOSED | <input type="checkbox"/> MAP NOT INCLUDED or INCOMPLETE |
| <input type="checkbox"/> ADDITIONAL SIGNATURES REQUIRED | <input type="checkbox"/> SECTION _____ IS INCOMPLETE |
| <input type="checkbox"/> OTHER/EXPLANATION: _____ | |

STAFF: _____ **DATE:** ____/____/____

ATTACHMENT FOR
APPLICATION FOR CHANGE

Point(s) of Diversion/Withdrawal - ☒ Existing ☒ Proposed:

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Manastash Creek-Reed (Existing)		SW	SW	12	17	17	17-17-12030-0029 (275033)	
Manastash Creek-MWDA (Proposed)		NW	NE	14	17	17	17-17-14010-0011 (215133)	
DO YOU OWN THE ABOVE POINT(S) OF DIVERSION/WITHDRAWAL? <input type="checkbox"/> YES <input type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME: Existing: Douglas John. Proposed: Scot Reeves, with easement to the Manastash Water Ditch Association.								

Purpose(s) of Use - ☒ Existing ☒ Proposed: SAME

A. Existing

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation	1.46 cfs		April 1 – June 30
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B. Proposed

Place of Use - ☒ Existing ☒ Proposed: SAME

A. Existing

LEGAL DESCRIPTION OF LANDS:							
The E ½ SW ¼ and part of the SE ¼ NW ¼ of Section 6, T17N, R17E WM.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
E ½	SW ¼	6	17	17 (18)	Kittitas	17-18-06020-0007 (648333) 17-18-06030-0003 (628333)	45 total
SE ¼	NW ¼	6	17	17 (18)	Kittitas	17-18-06020-0007 (648333)	45 total
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME:							

Note on POU: The legal description of 17-17-06 is in error; it should be 17-18-06.